



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTON
ATTORNEY GENERAL

July 25, 1990

Ms. Terry White, City Secretary
Records Management Officer
City of Bridge City
P. O. Box 846
Bridge City, Texas 77611

OR90-322

Dear Ms. White:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9911.

The City of Bridge City received two open records requests. The first request is for "a list of names of persons whose water service was disconnected for lack of payment." The second request is for "a copy of refunds made pertaining to disconnect fees under existing policy." You have raised none of the act's exceptions to required public disclosure with regard to these requests, although you do express concern about the privacy rights of those individuals whose names appear on the lists.

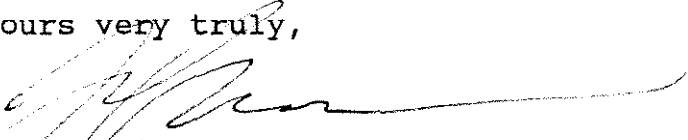
The common-law privacy aspect of section 3(a)(1) of the Open Records Act protects information if it is highly intimate or embarrassing, such that its release would be highly objectionable to a reasonable person, and it is of no legitimate concern to the public. Industrial Found. of the South v. Texas Indus. Accident Bd., 540 S.W.2d 668, 683-85 (Tex. 1976), cert. denied, 430 U.S. 930 (1977). In Open Records Decision No. 385 (1983) (copy enclosed), this office determined that although basic facts regarding financial transactions involving public funds between individuals and the public body may be embarrassing to the individuals involved, the public does have a legitimate interest in records pertaining to the receipt and expenditure of public funds. See V.T.C.S. art. 6252-17a, § 6(3). Your request is governed by the principles discussed in Open Records Decision No. 385; the requested information is not protected by section 3(a)(1) and must, therefore, be released.

Because case law and prior published open records decisions resolve your request, we are resolving this matter

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with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-322.

Yours very truly,



John Steiner
Assistant Attorney General
Opinion Committee

JS/RWP/le

Ref.: ID# 9911

Enclosure: Open Records Decision No. 385

cc: Kirk Roccaforte
115 Farm Drive
Bridge City, Texas 77611